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| APPLICATION NO.                           | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.     | CONFIRMATION NO. |
|---|-------------|----------------------|-------------------------|------------------|
| 10/082,872                                | 10/19/2001  | Simon Blanchard      | PHTW 000007             | 4956             |
| 24737                                     | 7590        | 10/21/2003           | EXAMINER                |                  |
| PHILIPS INTELLECTUAL PROPERTY & STANDARDS |             |                      | MCLEAN MAYO, KIMBERLY N |                  |
| P.O. BOX 3001                             |             |                      | ART UNIT                | PAPER NUMBER     |
| BRIARCLIFF MANOR, NY 10510                |             |                      | 2187                    | 9                |
| DATE MAILED: 10/21/2003                   |             |                      |                         |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

SF

|                              |                         |                  |
|------------------------------|-------------------------|------------------|
| <b>Office Action Summary</b> | Application No.         | Applicant(s)     |
|                              | 10/082,872              | BLANCHARD, SIMON |
|                              | Examiner                | Art Unit         |
|                              | Kimberly N. McLean-Mayo | 2187             |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 12 August 2003.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-9 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-9 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
 

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

|   |  |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                      | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) Z . | 6) <input type="checkbox"/> Other: _____ .                                   |

### **DETAILED ACTION**

1. The enclosed detailed action is in response to the Information Disclosure Statement submitted on May 12, 2003 and the Amendment submitted on August 12, 2003.

#### ***Specification***

2. The specification does not comply with MPEP 608.01 (c). See below.

608.01(a) Arrangement of Application

37 CFR 1.77. Arrangement of application elements.

- (a) The elements of the application, if applicable, should appear in the following order:
  - (1) Utility application transmittal form.
  - (2) Fee transmittal form.
  - (3) Application data sheet (see § 1.76).
  - (4) Specification.
  - (5) Drawings.
  - (6) Executed oath or declaration.
- (b) The specification should include the following sections in order:
  - (1) Title of the invention, which may be accompanied by an introductory portion stating the name, citizenship, and residence of the applicant (unless included in the application data sheet).
  - (2) Cross-reference to related applications (unless included in the application data sheet).
  - (3) Statement regarding federally sponsored research or development.
  - (4) Reference to a "Sequence Listing," a table, or a computer program listing appendix

submitted on a compact disc and an incorporation-by-reference of the material on the compact disc

(see § 1.52(e)(5)). The total number of compact discs including duplicates and the files on each compact disc shall be specified.

- (5) Background of the invention.
- (6) Brief summary of the invention.
- (7) Brief description of the several views of the drawing.
- (8) Detailed description of the invention.
- (9) A claim or claims.
- (10) Abstract of the disclosure.
- (11) "Sequence Listing," if on paper (see §§ 1.821 through 1.825).

(c) The text of the specification sections defined in paragraphs (b)(1) through (b)(11) of this section, if applicable, should be preceded by a section heading in uppercase and without underlining or bold type.

#### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by the submitted prior art Becker et al. (USPN: 5,878,223).

Regarding claims 1-7, Becker discloses determining a group of references (links) to resources (page) from a given first resource (current page) (Figures 5A, 5B, 6; C 9, entire, C 10, entire - when establishing the prediction table, a group of references to resources from a given resource are determined); for each reference to a resource in the group, computing a respective weight and assigning it to the reference (C 9, L 19-29; C 10, L 47-55); determining a reference from the group having a maximal respective weight (highest preference indication) and prefetching the resource referenced by that reference (C 2, L 37-62; C 4, L 54-67; C 5, entire; C 6, L 1-24), characterized in that the respective weight (highest weight value) for a reference is computed based on the number of times the resource referenced by that reference has been fetched previously (C 9, L 25-26; C 10, L 32-39;  $P[B:A] = P[B:A] + c$ ), and on the number of times one or more further resources have been fetched previously from a server that serves the resource referenced by the reference (C 9, L 19-55 - the values in the same row are compared to determine the highest weight value).

Regarding claim 8, Becker discloses a worldwide web browser (Figure 1, Reference 12).

Regarding claim 9, Becker discloses a caching proxy server (Figure 1, Reference 130).

#### *Response to Arguments*

5. Applicant's arguments filed have been fully considered but they are not persuasive.

Regarding Applicant's argument, Becker discloses prefetching the resource referenced by that reference (C 2, L 37-62; C 4, L 54-67; C 5, entire; C 6, L 1-24), characterized in that the respective weight (highest weight value) for a reference is computed based on the number of

times the resource referenced by that reference has been fetched previously (C 9, L 25-26; C 10, L 32-39), and on the number of times one or more further resources have been fetched previously from a server that serves the resource referenced by the reference (C 9, L 19-55 – the values in the same row are compared to determine the highest weight value).

Regarding Applicant's argument concerning claims 3 and 6, refer to Becker - C 10, L 47-55.

### *Conclusion*

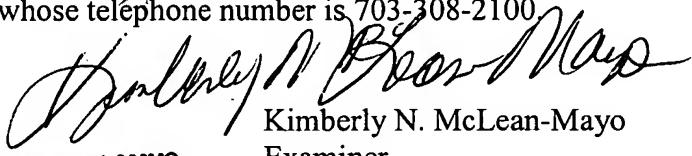
6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly N. McLean-Mayo whose telephone number is 703-308-9592. The examiner can normally be reached on M-F (9:00 - 6:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on 703-308-1756. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2100.

  
KIMBERLY MCLEAN-MAYO  
PRIMARY EXAMINER

Kimberly N. McLean-Mayo  
Examiner  
Art Unit 2187

KNM

October 2, 2003